

UNITED STATES DISTRICT COURT
DISTRICT OF NEW HAMPSHIRE

Calvin Finch

v.

Case No. 25-cv-37-SE-TSM

State of New Hampshire

ORDER

After due consideration of the objection filed, I herewith approve the Report and Recommendation of Magistrate Talesha L. Saint-Marc dated May 6, 2025. For the reasons explained therein, this case is dismissed for lack of subject matter jurisdiction. The court necessarily denies the stay or transfer that the petitioner requests in his objection, but expresses no opinion about his ability to file a new action in state court to pursue a writ of error coram nobis.

The respondents' motion to dismiss (Doc. No. 5) is denied as moot.

Additionally, finding that the petitioner has failed to show that jurists of reason would find the absence of jurisdiction debatable, the court declines to issue a certificate of appealability. See Slack v. McDaniel, 529 U.S. 473, 484-85 (2000); 28 U.S.C. § 2253(c)(2).

The clerk shall enter judgment and close this case.


Samantha D. Elliott
United States District Judge

Date: June 30, 2025

cc: Calvin Finch, pro se